

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2012 SEP 18 P 12:31

DUBLIN DIVISION

CLERK *McCarthy*
SO. DIST. OF GA.

ANTHONY B. MONTGOMERY,

Plaintiff,

v.

Warden JOSE MORALES, et al.,

Defendants.

CV 311-112

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, this case is **DISMISSED** without prejudice for failure to exhaust administrative remedies, and this civil action shall be **CLOSED**.

SO ORDERED this 18th day of September, 2012, at Augusta, Georgia.

[Signature]
UNITED STATES DISTRICT JUDGE